



Atty Docket No. 364106/0349
SBP/JFD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George S. Gabriel, et al.

Serial No.: 10/824,224 Art Unit: 3644

Filed: April 13, 2004 Examiner: To Be Assigned

For: FLUID DELIVERY VALVE SYSTEM AND METHOD

October 6, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILED UNDER 37 C.F.R. 1.53(B)**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed under 37 CFR 1.53(b) (the "Notice") mailed on July 1, 2004, Applicants submit herewith an executed Declaration and Power of Attorney together with the required copy of the Notice to File Missing Parts.

The Commissioner is authorized to charge the \$130.00 fee required in connection with Applicants' late filing of the Declaration, as well as any other fee that may now or hereafter be due to Deposit Account No. 19-4709. A duplicate of this response is enclosed.

Applicants received the Notice, dated July 1, 2004, in the above-referenced matter. A response to the Notice was due September 1, 2004. Accordingly, this Response is being filed with a Petition for Extension of Time.

Applicants respectfully submit that this application is in condition for allowance. Early and favorable action is earnestly solicited. In the event that there are any questions, or should additional information be required, please do not hesitate to contact applicants' attorney at the number listed below.

Respectfully submitted,


STEVEN P. POKOTILOW
REG. NO. 16,666



Docket No.
364106/0349

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Applicants: George S. Gabriel et al.

Group Art Unit: 3644

Application No.: 10/824,224

Examiner: To Be Assigned

Filed: April 13, 2004

For: **FLUID DELIVERY VALVE SYSTEM AND METHOD**

Date: October 6, 2004

**CERTIFICATE OF MAILING
BY "FIRST CLASS MAIL" (37 C.F.R. § 1.8)**

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

Return postcard; Response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) in duplicate (2 pgs); Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) (2 pgs); Combined Declaration and Power of Attorney for Patent Application (Executed - 4 pgs); Petition for Extension of Time under 37 CFR 1.135(a) (1 pg) in duplicate

is being deposited on October 6, 2004 with the United States Postal Service as first class mail in an envelope bearing sufficient postage thereon and addressed to:

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450.

James F. Dobrow

(Typed Or Printed Name Of Person Mailing Correspondence)

(Signature Of Person Mailing Correspondence)

JKW

UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,224	04/13/2004	George S. Gabriel	364106/0349

Steven B. Pokotilow
 Stroock & Stroock & Lavan LLP
 180 Maiden Lane
 New York, NY 10038

CONFIRMATION NO. 6327
FORMALITIES LETTER

 OC000000013120862

Date Mailed: 07/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)***Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

10/13/2004 SDENB0B1 00000036 194709 10824224

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE